



COTTONWOOD HEIGHTS CITY COUNCIL AGENDA

Notice is hereby given that the Cottonwood Heights City Council will hold a Business Meeting beginning at **7:00 p.m. on Tuesday, March 26, 2013**, at Cottonwood Heights City Council Chamber located at 1265 East Fort Union Blvd., Suite 300, Cottonwood Heights, Utah.

7:00 p.m. 1.0 WELCOME/PLEDGE/ACKNOWLEDGEMENTS

2.0 CITIZEN COMMENTS

(Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to three minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting)

3.0 PUBLIC HEARINGS

Public Hearing on the use of the City's Community Development Block Grant Funds for FY 13-14

(The Council will hear public comment on the use of the City's Community Development Block Grant Funds for FY 13-14)

4.0 REPORTS/PROCLAMATIONS/RECOGNITIONS

4.1 Standing Monthly Reports

1. Monthly Financial Report – Finance Director Steve Fawcett

(The finance department will provide a report of the city budget as of February 28, 2013)

2. Unified Fire Report – Assistant Chief Mike Watson

(Report by Assistant Chief Watson of medical and fire calls responded to by Cottonwood Heights stations during the month of February as well as other informational items from the Unified Fire Authority)

5.0 ACTION ITEMS

5.1 Consideration of Ordinance No. 202 Adjusting the Common Boundary Between Cottonwood Heights and the City of Holladay

(The city will take action to adjust its common boundary with City of Holladay along 3000 East and 6360 South)

5.2 Consideration of Ordinance No. 203 Adjusting the Common Boundary Between Cottonwood Heights and Sandy City

(The city will take action to adjust its common boundary with Sandy City along Creek Road)

**6.0 ADJOURN BUSINESS MEETING AND RECONVENE
WORK SESSION IN ROOM 250**

PUBLIC COMMENT PROCEDURE

At each City Council Business Meeting any person wishing to comment on any item not otherwise on the agenda for public comment may address the City Council during the Public Comment period. Any person wishing to comment during the citizen comment period shall request recognition by the Mayor and upon recognition, approach the microphone and state their name and address the body. Any person wishing to comment shall limit their comments to no more than three (3) minutes, unless additional time is authorized by the Mayor. Citizen groups will be asked to appoint a spokesperson, who shall limit their comments to no more than five (5) minutes. All comments shall be directed to the Mayor and City Council. No person addressing the City Council during the comment period shall be allowed to comment more than once during that comment period. Speakers should not expect any debate or dialogue with the Mayor, City Council or City Staff during the meeting.

The Council may choose to limit the amount of time allotted to public comment on a specific issue. In such cases, special procedures for determining who will be allowed to speak and the order of such speakers will be determined by the Council.

On Monday, March 25, 2013, at 5:00 p.m. a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices, Cottonwood Heights, Utah. A copy of this notice was faxed to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the City by the Office of the City Recorder. The Agenda was also posted on the City's website at www.ch.utah.gov and the State Public Meeting Notice website at <http://pmn.utah.gov>

DATED THIS 25th DAY OF MARCH 2013

Kory Solorio, Deputy City Recorder

Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Councilmember will be on speakerphone. The speakerphone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify Kory Solorio, Deputy City Recorder, at (801) 944-7020 at least 24 hours prior to the meeting. TDD number is (801)270-2425 or call Relay Utah at #711. If you would like to submit written comments on any agenda item they should be received by the Deputy City Recorder no later than Tuesday at noon. Comments can be emailed to ksolorio@ch.utah.gov



NOTICE OF COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION AGENDA

Notice is hereby given that the Cottonwood Heights City Council will hold a Work Session at **6:00 p.m. on Tuesday, March 26, 2013**, in the Cottonwood Heights City Council Conference Room located at 1265 East Fort Union Blvd., Suite 250, Cottonwood Heights, Utah

- 6:00 p.m.**
1. **Legislative Update – Brian Allen (40:00)**
(Brian Allen, Cottonwood Heights State Lobbyist, will provide a final report of the State Legislative session and report on those items that may affect the city)
 2. **Review of Business Meeting Agenda (5:00)**
 3. **Public Relations Report (15:00)**
 - a. Media Coverage
(Public Relations Specialist, Stephanie Archibald, will provide a report on media coverage of city events)
 - b. Valley Journal
(A review of the upcoming articles for future editions)
 4. **Public Works Report (40:00)**
 - a. Review of Future Capital Improvement Projects
(City Engineer Brad Gilson will review future Capital Improvement Projects prioritized and/or funded through Wasatch Front Regional Council or state grants)
 - b. Big Cottonwood Canyon Trail
(Staff will report on plans to bid out the ramp on the east end of the trail)
 5. **Planning Department Report (30:00)**
 - a. Golden Hills Park Design
(Staff would like to get feedback on potential park upgrades and changes)
 - b. Mountview Park
(Report from staff on progress regarding upgrades to the park for the new season)
 6. **Public Safety Reports (20:00)**
 - a. Unified Fire Authority
(Report from Assistant Chief Mike Watson on events of the week)
 - b. Police Department
(Report from Chief Robby Russo on noteworthy events of the week)
 7. **City Manager Report (30:00)**
 - a. Annexation Petition
(Deputy City Manager Linda Dunlavy will report on an annexation petition received from Granite Oaks Subdivision and surrounding properties)

b. **County Public Works Contract Status**

(City Manager, John Park, and Public Works Director, Mike Allen, will review the proposal from the County for a renewal of the Public Works Contract for Fiscal Year 2014. This renewal is necessary regardless of any other decision regarding public works because the current contract expires the end of June)

8. **Mayor/City Council Reports (60:00)**

a. **Jordan River Commission Meeting – Councilman Tyler**

(Councilman Tyler will report on the recent Jordan River Commission meeting)

b. **Butlerville Days Committee Meeting – Councilman Peterson**

(Councilman Peterson will report on the Butlerville Days Committee meeting held March 21)

c. **Youth City Council – Councilman Bracken**

(Councilman Bracken will report on the Youth City Council meeting held March 21)

d. **Cottonwood Heights Parks and Recreation Meeting – Councilman Bracken**

(Councilman Bracken will report on the monthly coordination meeting with Cottonwood Heights and Cottonwood Heights Parks and Recreation Service Area)

e. **Wasatch Front Waste and Recycling District Board Meeting – Councilman Bracken**

(Councilman Bracken will report on the recent Wasatch Front Waste and Recycling District Board meeting)

f. **Historical Committee – Councilman Peterson**

(Councilman Peterson will report on the monthly Historical Committee Meeting)

g. **Salt Lake County Parks and Recreation Advisory Board – Councilman Peterson**

(Councilman Peterson will report on the Salt Lake County Parks and Recreation Advisory Board meeting)

9. **Calendar of Events (10:00)**

a. **Easter Event – March 30 – 10:00 a.m. @ Butler Park**

b. **ULCT midyear conference – April 10-12 – St. George**

c. **Utah Shake Out - April 17**

d. **Table Top - Utah Shake Out - May 1 – 8:00 a.m.**

10. **Closed Meeting to Discuss Litigation, Property Acquisition and the Character and Professional Competence or Physical or Mental Health of an Individual**

11. **ADJOURN**

COTTONWOOD HEIGHTS

ORDINANCE No. 202

AN ORDINANCE ADJUSTING THE COMMON BOUNDARY BETWEEN COTTONWOOD HEIGHTS AND THE CITY OF HOLLADAY

WHEREAS, the city of Cottonwood Heights (the “City”) and the City of Holladay (“Holladay”) share a common boundary; and

WHEREAS, pursuant to the provisions of UTAH CODE ANN. §10-2-419 through -428, two or more municipalities sharing a common boundary may adjust such common boundary; and

WHEREAS, the City’s city council (the “Council”) considers it necessary and desirable and for the benefit of the City to adjust its common boundary with Holladay; and

WHEREAS, to effect such adjustment, pursuant to UTAH CODE ANN. §10-2-419 the City (a) adopted its Resolution No. 2012-68 indicating the City’s intent to adjust the common boundary with Holladay, (b) held a public hearing (the “Hearing”) on 26 February 2013 with respect to the proposed adjustment, and (c) published notice of the Hearing and the proposed adjustment as provided by law; and

WHEREAS, no written protests to the proposed boundary adjustment have been filed with the City Recorder by anyone legally authorized to so protest; and

WHEREAS, the Council, in satisfaction of statutory requirements, desires to (a) adopt this ordinance (this “Ordinance”) adjusting the City’s common boundary with Holladay, (b) direct the providing of all legally-required notices and filings concerning such boundary adjustment;

NOW THEREFORE, BE IT ORDAINED by the city council of the city of Cottonwood Heights as follows:

Section 1. **Findings and Determinations.** The Council hereby finds, determines and declares that all actions legally required to be taken prior to the adoption of this Ordinance (including, without limitation, the holding of the Hearing and the giving of proper notice) have been taken. The Council hereby further finds, determines and declares that the adjustment of the City’s common boundary with Holladay, as further described in Section 2 hereof, is in the public interest and is in the best interest of the City and its residents.

Section 2. **Adjustment of Common Boundary.**

(a) The common boundary between the City and Holladay is hereby adjusted to transfer the following-described real property (the “Parcel”) from Holladay to the City:

BEGINNING AT A POINT that is South 89°57'01" West 147.600 feet from the Northeast corner of the Southwest quarter of Section 23, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence from said corner South 89°57'01" West 216.897 feet to the East right of way of 3000 East Street; thence along said right of way North 12°26'45" Easterly 216.968 feet to a point located at the center of Big Cottonwood Creek; thence along center line of said Creek the following three courses: (1) South 56°02'40" East 37.630 feet; (2) South 51°11'48" East 46.170 feet; and (3) South 46°00'57" East 142.990 feet; thence departing said creek center line South 00°03'09" East 62.430 feet to the point of beginning.

(b) As a result of such transfer of the Parcel, the common boundary between the City and Holladay shall be as shown on the attached exhibit.

Section 3. **Notices and Filings.** The City's Mayor, Manager, Recorder, Attorney and other officers, employees and agents are hereby authorized, empowered and directed to make such filings and to provide such notices as may be legally required to effect and to formalize the boundary adjustment contemplated by this Ordinance, including, without limitation, filing a notice of impending boundary action with the Lt. Governor's office pursuant to UTAH CODE ANN. §10-2-425.

Section 4. **Action of Officers.** All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 5. **Severability.** All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 6. **Repealer.** All ordinances, resolutions or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 7. **Effective Date.** This Ordinance, assigned no. 202, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's Recorder, or such later date as may be required by UTAH CODE ANN. §10-2-419(5), UTAH CODE ANN. §10-2-425(4) or other applicable Utah statute.

PASSED AND APPROVED this 26th day of March 2013.

COTTONWOOD HEIGHTS CITY COUNCIL

ATTEST:

By: _____
Linda W. Dunlavy, Recorder

By: _____
Kelvyn H. Cullimore, Jr., Mayor

VOTING:

Kelvyn H. Cullimore, Jr.	Yea	___	Nay	___
Michael L. Shelton	Yea	___	Nay	___
J. Scott Bracken	Yea	___	Nay	___
Michael J. Peterson	Yea	___	Nay	___
Tee W. Tyler	Yea	___	Nay	___

DEPOSITED in the office of the City Recorder this 26th day of March 2013.

POSTED this ___ day of March 2013.

594576.1

COTTONWOOD HEIGHTS

ORDINANCE NO. 203

AN ORDINANCE ADJUSTING THE COMMON BOUNDARY
BETWEEN COTTONWOOD HEIGHTS AND SANDY CITY

WHEREAS, the city of Cottonwood Heights (the “City”) and Sandy City (“Sandy”) share a common boundary; and

WHEREAS, pursuant to the provisions of UTAH CODE ANN. §10-2-419 through -428, two or more municipalities sharing a common boundary may adjust such common boundary; and

WHEREAS, the City’s city council (the “Council”) considers it necessary and desirable and for the benefit of the City to adjust its common boundary with Sandy; and

WHEREAS, to effect such adjustment, pursuant to UTAH CODE ANN. §10-2-419 the City (a) adopted its Resolution No. 2012-69 indicating the City’s intent to adjust the common boundary with Sandy, (b) held a public hearing (the “Hearing”) on 26 February 2013 with respect to the proposed adjustment, and (c) published notice of the Hearing and the proposed adjustment as provided by law; and

WHEREAS, no written protests to the proposed boundary adjustment have been filed with the City Recorder by anyone legally authorized to so protest; and

WHEREAS, the Council, in satisfaction of statutory requirements, desires to (a) adopt this ordinance (this “Ordinance”) adjusting the City’s common boundary with Sandy, (b) direct the providing of all legally-required notices and filings concerning such boundary adjustment;

NOW THEREFORE, BE IT ORDAINED by the city council of the city of Cottonwood Heights as follows:

Section 1. **Findings and Determinations.** The Council hereby finds, determines and declares that all actions legally required to be taken prior to the adoption of this Ordinance (including, without limitation, the holding of the Hearing and the giving of proper notice) have been taken. The Council hereby further finds, determines and declares that the adjustment of the City’s common boundary with Sandy, as further described in Section 2 hereof, is in the public interest and is in the best interest of the City and its residents.

Section 2. **Adjustment of Common Boundary.**

(a) The common boundary between the City and Sandy is hereby adjusted through transfers from Sandy to the City, or from the City to Sandy, as applicable, of such parcels of real property as may be necessary to result in a common boundary between the two cities that lies in the centerline of Creek Road, as more fully described and shown on the attached exhibit.

Section 3. **Notices and Filings.** The City's Mayor, Manager, Recorder, Attorney and other officers, employees and agents are hereby authorized, empowered and directed to make such filings and to provide such notices as may be legally required to effect and to formalize the boundary adjustment contemplated by this Ordinance, including, without limitation, filing a notice of impending boundary action with the Lt. Governor's office pursuant to UTAH CODE ANN. §10-2-425.

Section 4. **Action of Officers.** All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 5. **Severability.** All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 6. **Repealer.** All ordinances, resolutions or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 7. **Effective Date.** This Ordinance, assigned no. 203, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's Recorder, or such later date as may be required by UTAH CODE ANN. §10-2-419(5), UTAH CODE ANN. §10-2-425(4) or other applicable Utah statute.

PASSED AND APPROVED this 26th day of March 2013.

COTTONWOOD HEIGHTS CITY COUNCIL

ATTEST:

By: _____
Linda W. Dunlavy, Recorder

By _____
Kelvyn H. Cullimore, Jr., Mayor

VOTING:

Kelvyn H. Cullimore, Jr.	Yea	___	Nay	___
Michael L. Shelton	Yea	___	Nay	___
J. Scott Bracken	Yea	___	Nay	___
Michael J. Peterson	Yea	___	Nay	___
Tee W. Tyler	Yea	___	Nay	___

DEPOSITED in the office of the City Recorder this 26th day of March 2013.

POSTED this ___ day of March 2013.